

COUNSEL LISTED ON LAST PAGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

Nichia Corporation,

Plaintiff,

vs.

Seoul Semiconductor Co., Ltd., and Seoul
Semiconductor, Inc.,

Defendants.

Case No: 3:06-CV-0162-MMC (JCS)

**STIPULATION AND ~~PROPOSED~~
ORDER REGARDING DEADLINE FOR
PARTIES' EXCHANGE OF DEPOSITION
DESIGNATIONS, COUNTER
DESIGNATIONS AND OBJECTIONS
THEREON**

No Hearing Requested

Pretrial Conference: September 4, 2007
Judge: Maxine M. Chesney

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1 Plaintiff Nichia Corporation (“Nichia”) and Defendants Seoul Semiconductor Co., Ltd.,
2 Seoul Semiconductor Inc., (collectively “Seoul”), file this Stipulation and Proposed Order to
3 extend the time for the parties to exchange deposition designations and objections to those
4 designations. The parties have completed there initial exchanges, but have not revised those
5 exchanges in light of the recent Order Granting in Part and Denying in Part the respective
6 motions for summary judgment (Dkt. No. 665) and the Order Construing Claims (Dkt No. 664).

7 RECITALS

8 1. On May 2, 2007, this Court issued its Pretrial Preparation Order that specified that
9 the parties accomplish certain tasks regarding preparation of the case for trial, including
10 designations of certain portions of deposition transcripts in the event a witness is not available to
11 testify at trial.

12 2. The parties exchanged the initial designations and counter designations, but have
13 not revised these designation/counter designations in light of the Court’s recent Orders.

14 3. The parties have met and conferred. The parties agree, in light of the significant
15 changes to the scope of the case occasioned by the Court’s recent rulings on claim construction
16 and summary judgment, that they will not be prepared to exchange revised designations or
17 discuss objections to such designations prior to the Pretrial Conference on September 4, 2007.

18 STIPULATION

19 Accordingly, the parties stipulate as follows:

20 1. The parties incorporate the recitals set forth above.

21 2. The parties shall exchange revised deposition designations and counter
22 designations, striking those designations mooted by the Court’s summary judgment ruling, with
23 objections thereon on or before three business days before trial. The parties will not be adding to
24 their deposition designations.

25 3. The parties shall exchange (a) a list of deposition designation stricken and (b) a
26 complete list of remaining deposition designations three business days before trial.

27 4. The parties shall complete a meet and confer regarding the objections to such
28 designations and counter designations two business days before trial.

1 5. The parties shall file the objections they are unable to resolve one business day
2 before trial.

3 DATED: August 31, 2007

Bingham McCutchen LLP

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5 By: _____/s/
6 Beth H. Parker
7 Attorneys for Defendants

8 DATED: August 31, 2007

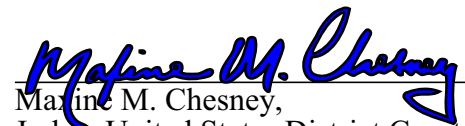
Foley & Lardner LLP

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10 By: _____/s/
11 Nancy Geenen
12 Attorneys for Plaintiff

13
14 **ORDER**

15 **IT IS SO ORDERED.**

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17 DATED: September 4, 2007

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19 Maxine M. Chesney,
20 Judge, United States District Court
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